FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPLICATION NO.1681 OF 2006

Yashwant Narayan Joshi)..Applicant

V/s.

The State of Maharashtra)..Respondent

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr.A.P.Mundargi Sr.Advocate with
Mr.Amol Patankar for the applicant

Mr.Y.S.Shinde APP for the State.

Coram : R.S.Mohite,J

Date : 13.7.2006

PC

1. This is an application for grant of anticipatory bail. The applicant is shown as an accused in C.R.No.I-133/2006 registered by the Naupada police station, Thane, and the investigation of which is now transferred to Economic Offences Wing, Thane. The said crime has been registered for alleged offences under Sections 420, 409, 465, 467, 468, 471, 474, read with 34

of IPC. Of these offences section 409 is a serious offence punishable with life imprisonment. It appears that fraud has taken place in the year 1999 when the amounts from the P.F. account were transferred to an account of Canara bank bearing account no.1871. On perusing the reply it is clear that the account no.1871 was opened in the year 1989. Affidavit states that this can only be fraud because account no.1870 was opened on 29.11.1994. The bank is not in a position to produce account opening form. There is also no sample signature form available with the bank. All these indicate that the account was fraudulent one which was probably opened with the connivance of certain officers of the bank. Be that as it may, the present applicant was the accountant during the relevant period. He was appointed on 20.4.1994 and was holding the

post till March-2006. It is seen that atleast on one occasion he has been instrumental in issuing a bearer cheque in favour of the lady Rohini Adhav who was transferred to Pune in the year 1979. According to the I.O. he was supposed to maintain daily cash book related to the P.F.employees and maintain cheques issued register of various bank accounts. No such thing is done. In my view, entire matter requires a deeper investigation. The entire amount is yet to be traced. In the circumstances, not a fit case for grant of anticipatory bail. Rejected.

2. At this stage, Advocate for the applicant seeks time to surrender. Time to surrender is granted till 20.7.2006 on the condition that the applicant reports to the I.O. everyday between 5.00 & 7.00 P.M. Undertaking to this effect

tendered in this Court at 3.00 P.M. today is taken on record and marked "X" for identification. Undertaking given is accepted. Application stands disposed off.

(R.S.Mohite,J)